

March Court 1729

244

James in Our same Court here in the ab^o place after passing upon the case v^ro as should be adjudged would
satisfy or his body in Execution of such Judg^t. to the shd. of somerset County would render or that he the
said John Dennis would do the same for him, and altho' the said James afterwards to wit the same day and year
ab^o in our same Court here before the ad^o Samuel Hopkins Gent and others his associates then our Justices of the Peace
after said held at Dividing Creek ab^o by Consideration of our same Court Recovered against the ad^o Robert Gibbs -
Three pounds three shillings and one penny Sterling money and three hundred and eight pounds of tobacco for
his damages which he sustained as well by Reason of the non performance of a certain promise and a sum of
one to the same James by the ad^o Robert lately made as for his costs and charges by him about his suit in that part
of said whereof he is bound as by the records and Proceedings thereof in our same Court before our Justices
at Dividing Creek ab^o manifestly appears. Nevertheless the ad^o Robert in body in Execution of such Judg^t. to do
the ad^o shd. of somerset County hath not rendered, nor the same Robert the damages ab^o to the ad^o James hath not
satisfied as by Recitation of the same James we have received, and because we are willing that those
things which in our Court ab^o before our Justices ab^o are rightfully acted and acknowledged ought to be duly Exau-
ted, we command you that by honest and lawfull men of your County which you make known unto the ad^o
John Dennis that he be and appear before our Justice of our County Court of somerset to be held at Divid-
ing Creek the third Tuesday of March next to shew cause if any thing for himself he hath or knoweth to-
say wherefore the ad^o James in Execution against him of the damage ab^o to have ought not according to the
form of the Recouerance ab^o if unto him it shall seem Expedient and have you there and there the names of
them before whom you make the same known and thin writt witness William Blantner Gent. one of our
Justices of our said Court this twenty fourth day of November in the fifteenth year of our Sovereign King and
One thousand seven hundred and twenty nine ye^r

All which said third Tuesday ab^o March to wit the seventeenth day of the same month and year. One thousand and
seven hundred and twenty nine before the Justices of his Lordships County Court of somerset ^{at Dividing Creek} Comette the ad^o James
by his attorney ab^o and the shd. of the County ab^o to wit John Burnside Gent. at the same day returned that he
by Verline of the writt ab^o to him directed he had made known to the ad^o John Dennis Jnd^d by Hugh Carter
and John Doe honest and lawfull men of his County which he be before his said Lordships Justice at the
time and place ab^o to shew &c. as to him it was commanded ab^o

And the ad^o John Dennis so beforewarned, and at the same day being solemnly called Comette
not but made default. Therefore it is considered that the ad^o James Dickerson have Execution against
the ad^o John Dennis Jnd^d of the ad^o Three pounds three shillings and one penny Sterling money and three hun-
dred and eight pounds of tobacco his damages ab^o according to the form for and effect of the Recouerance
ab^o and also the ad^o James Dickerson according to the form of the Statute in such Case lately made Exau-
ted Recovered against the ad^o John Dennis Jnd^d two hundred and thirty three pounds of tobacco for his costs
charges and damages sustained by Reason of delay of Execution of the Judg^t ab^o & co.

ps: Hugh Stewart
Command was given to the shd. of somerset County that he should take
A: William Dure ^{as} late of somerset County planter if he should be found in his County which
he should safe keep so that he might have his body before his Lordships Justice
of the County Court of somerset to be held at Dividing Creek the third Tuesday of March next.

to answer unto Hugh Stewart of agree of her pass upon the same & that hereof he should not
fail &c. At which said third Tuesday of March to wit the seventeenth day of the same month

being the day of the return of the same with Comette the said Hugh Stewart in his proper person
and the shd. of somerset County to whom the foregoing will be directed Comette and make the return thereto
to